

Minutes of the Work Session of the Syracuse City Council, held on October 25, 2022 at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 889 6794 6634, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage
W. Seth Teague
Paul Watson

Mayor Dave Maughan
City Manager Brody Bovero
Deputy City Recorder Marisa Graham

City Employees Present:
Administrative Services Director Stephen Marshall
City Attorney Brienne Brass
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to receive public comments; receive a presentation from Rocky Mountain Power regarding tree pruning/removal procedures; hear a request from Don's Meats for a Redevelopment Agency (RDA) incentive for parking lot improvements; hear a presentation from Councilwoman Carver regarding the impact of the D.A.R.E. Program in the community; discuss a proposed zone text amendment in Syracuse City Code Section 10.125 pertaining to Sensitive Overlay Zone standards; review responses to Request for Qualifications (RFQ) for engineering services; review responses to Request for Proposals (RFP) for landscape design and aesthetic improvements for West Davis Corridor project; prepare for future Strategic Goal Planning/Discussions; and discuss a change to the Council meeting schedule for November.

Public comments

Mayor Maughan invited in-person public comments. There were no public comments.

Mayor Maughan noted the agenda for tonight's meeting provided instructions for individuals to email public comments to be read for the record of the meeting. Deputy City Recorder Graham indicated the City Recorder did not receive any emailed public comments for this evening.

Presentation from Rocky Mountain Power (RMP) regarding tree pruning/removal procedures.

A staff memo from City Manager Bovero explained the franchise agreement with Rocky Mountain Power is made to allow RMP to provide electricity to citizens and businesses via the City's public rights of way. It is essentially a blanket permission for all roadways in the city, with certain requirements and restrictions. The current franchise agreement dates back to 2013 and has a term of 10 years. With the expiration approaching, it is time to review it and adopt a new agreement with a new term. In the July Council work session, there were some questions and concerns regarding the RMP's procedures for tree pruning. We brought these issues to RMP as part of the franchise agreement. In response, they have requested to present more information to the City Council regarding their procedures for tree pruning and removal. The primary purpose of the discussion is to learn from RMP's presentation and discuss any questions or concerns. The context of this issue is in light of the draft franchise agreement. While the discussion will focus on the tree pruning issue, any questions regarding the franchise agreement can be addressed at the meeting.

Robert Vanderhoff, Forester for Rocky Mountain Power (RMP), used the aid of a PowerPoint presentation to discuss the purpose of vegetation management. Trees can interfere with powerlines, causing outages or creating other safety hazards. RMP has an award-winning vegetation management program to ensure safety and service reliability. Pruning clearances depend on tree species and growth patterns, as well as the voltage of nearby power lines. Around distribution lines, which are typically found in neighborhoods, at least 10 to 14 feet of clearance is appropriate. He referenced the RMP website, which includes tips for tree planting to reduce the need for future pruning as well as to help save energy costs and the notification process used by RMP regarding upcoming pruning efforts. If pruning is not an option and a tree must be removed, RMP will give the homeowner a voucher for a new tree at a local nursery and advise them on proper planting location of the new tree.

The Mayor and Council thanked Mr. Vanderhoff for the information provided.

Request for Redevelopment Agency (RDA) incentive for Don's Meats parking lot improvements.

A staff memo from the Community and Economic Development (CED) Department explained Don's Meats is a locally owned business located at 1947 W. Antelope. They have been in business at this location for 13 years. They had been leasing the building until earlier this year when they purchased the building. Now, the owner would like to invest in the property so it can be their long-term home. The owner has approached the city with concerns about how cars cut through the parking lot and rear of building at high speeds. It is reported that employees taking out the trash at the rear of the building have almost been ran over, and that customers backing out have almost been hit by speeding cross-traffic. The proposed solution included installing 120 linear feet of reinforced concrete curbing and 100 feet of parking bollards and chain around the back and side of the business. These improvements would block traffic from cutting through the back and slow the movement of cars across the front. Since there was an immediate safety concern, the project has already been completed by a contractor that Don's hired. Don's has asked if the city RDA would be willing to pay for the improvements since they were related to the access and safety for the whole corner developments including Maverik, Wells Fargo, and the Museum. The cost of the improvements was \$8,700. The RDA currently has \$558,000 in the account. The RDA has recently helped pay for driveways and cross access easements at the Trico development and Town Center parking lots. It has also budgeted \$200,000 for additional parking lot improvements in the Town Center parking lot. Since the current condition of the property is quite dilapidated, there is potential for future RDA projects on the property to get it cleaned up to current retail standards. The goal of this discussion is to decide if the RDA should contribute \$8,700 towards improvements made at Don's Meats. If yes, staff will prepare an RDA incentive agreement for consideration during the next voting meeting.

CED Director Steele reviewed his staff memo and facilitated discussion among the Council regarding the request; Councilmembers commented on the contributions that Don's Meats has made to the community and opportunities to further improve the area of the property that abuts the City's property to the south. The Council indicated they are supportive of providing the incentive to cover the cost of the improvements that have been performed, with the caveat that they would like to have ongoing discussions regarding further improvements of the area near the boundary between the City property and Don's Meats property.

Presentation from Councilwoman Carver regarding the impact of the D.A.R.E. Program on the community

Councilwoman Carver used the aid of a PowerPoint presentation to provide a broader view of the impact of D.A.R.E. and why the program is necessary for a community. She first discussed her educational and personal background that has led to her support of the D.A.R.E. program; she has a Bachelor of Science in Criminal Justice with an emphasis in Juvenile Justice and a minor in Criminal Law. She also has a Bachelor of Science in Social Work with an emphasis on Child Development and a minor in Human Behavior (Psy-Soc Approach). And, she is a medical cannabis advocate in Utah. She provided information on four types of interactions and their descriptions:

- Willing Positive: Any instance in which a citizen willingly seeks out law enforcement for a positive reason.
 - Examples: Bringing snacks to the department, leaving coffee cards on cop cars, walking up to a cop just to say hi.
- Forced Positive: Any instance in which a law enforcement officer comes into a citizen's day for a positive reason.
 - Examples: Community oriented policing, stopping at lemonade stands, D.A.R.E., stopping citizens who are out walking or in parks just to chat with them and visit.
- Forced Negative: Any instance in which a law enforcement officer comes into a citizen's day for a negative reason. (please note these situations can be a positive person to person encounter, however the reason for the encounter is negative.)
 - Examples: Being pulled over, being served a warrant, cops being called to your home, car accident that required LEO presence.
- Willing Negative: Any instance in which a citizen willingly seeks out law enforcement to engage in a negative encounter.
 - Examples: Harassing on duty officers just because they are officers, targeted harassment, ambush assault on law enforcement

She provided numbers provided by the Police Department for forced negative and forced positive interactions during the 2021-2022 Fiscal Year (FY); the forced positive instances of community-oriented policing do not include D.A.R.E. interactions. She discussed the history of the D.A.R.E. program, which is actually somewhat negative; D.A.R.E. was founded in 1983 as a partnership between the Los Angeles Police Department and the L.A. public schools. The original program was designed to send uniformed officers into elementary schools and teach students how to identify different types of drugs and skills necessary to say no when offered said drugs. In 1994, the Research Triangle Institute, funded in part by the Justice

Department, conducted a meta-analysis of all the existing research on D.A.R.E.. Its conclusion was withering: D.A.R.E. had little to no impact on rates of teen drug use. "D.A.R.E.'s limited influence on adolescent drug use behavior contrasts with the program's popularity and prevalence," the authors wrote. "An important implication is that D.A.R.E. could be taking the place of other, more beneficial drug use curriculum that adolescents could be receiving." *<https://www.washingtonpost.com/news/wonk/wp/2017/07/12>. She concluded that prior to 2009, the mission of D.A.R.E. was to implement and support drug abuse resistance education and crime prevention programs in the USA. The program got a 'reboot' in 2009 and the mission was changed to 'teach students good decision-making skills to help them lead safe and healthy lives'. As early as 1998, behavioral scientists started suggesting a different approach that was developed from evidence-based research on behavior-changing techniques. After an early 2000's report by the Department of Justice, the D.A.R.E. America program was forced to change its curriculum, ultimately towards an individual's self-guardianship. Councilwoman Carver then presented a chart illustrating the child development/behavioral stages for children from 11 to 13 years of age, after which she presented information about the 'new' D.A.R.E. program:

1. Decision Making Model
 - a. Describe the problem, identify choices, make decision, review decision
2. Facts About Alcohol & Tobacco Use
3. Practice Making Safe And Responsible Choices
4. Resistance Strategies-Responding To Pressure
 - a. Self-Guardianship Principals
5. Identifying Self-Stress
 - a. Mental Health Principals
6. Communication Styles
 - a. Courage Building Principals
7. Communicating Effectively
 - a. Courage Building Principals
8. Five W's Of Reporting Bullying
 - a. How to report bullying safely and responsibly
9. Reporting Bullying Practice
10. Needing Help
 - a. Building an internal comfort with asking for help

Based upon a subset study of 1,300 students who were already using drugs, data regarding the new program showed that it reduced substance use at a rate that was 72 percent higher than the control group. Steven West, a rehabilitation counselor at Virginia Commonwealth University who once published a meta-analysis showing D.A.R.E. to have negligible effects, is encouraged by these results. "They are going the right route now—it's based in science," West says.

The question has been asked as to whether teaching D.A.R.E. is really the job of law enforcement officials; the crime triangle states that for a crime to occur, three things must be present: motivated/willing offender, suitable target, and lack of guardianship. The entire basis of D.A.R.E. is to promote self-guardianship by teaching students the ability to make logical decision and build the courage necessary to say, "this isn't something I should be doing". Ultimately, school taught education pertaining to decision making is a current necessity due to the current level of parent presence in a child's life. She stated that humans are born with emotional attributes; emotional processing styles are learned behaviors. The same is true for tasks; for example, children are not born knowing how to make a bed and they must be guided and taught through the process in order to become proficient at the task. For a child, learning how to make a bed is not different than learning how to make good decisions or to say no if a situation presents itself that requires a firm 'no'. Respect for oneself is not a born attribute, it must be taught in a way that it can be absorbed and utilized in future situations. Many have asserted that it is the parent's job to teach children the ability to say no; Councilwoman Carver agreed with that sentiment but added that it takes a village to raise a child. She presented information regarding the total number of households in the City and discussed the percentage that are likely dual income households, which means both parents are working outside the home. She discussed the outcomes of the D.A.R.E. program being taught by a Police Officer:

- Identifiable community guardian
- Person of authority giving children authority over their own emotions, decisions, and bodies.
- Helping students build age-appropriate sense of self.
- Building trust within the community and its citizens
- Aiding in the prevention of future crime by building self-guardianship within the city's youth, ultimately reducing 2 of the 3 items presented in the crime triangle.

She presented the participation numbers by each school in Syracuse; the Syracuse D.A.R.E. program reaches an average of 765 students per academic year. Each student participates in 12 lessons with the D.A.R.E. officer in the classroom, which effectively totals 9,180 more instances of community-oriented policing. "The theory of procedural justice is grounded in the idea that people's perceptions of police legitimacy will be influenced more by their experience of interacting with

officers than by the end result of those interactions.”
https://law.yale.edu/sites/default/files/area/center/justice/principles_of_procedurally_just_policing_report.pdf. Personal interactions between police officers and community members build mutual trust, which is essential to addressing neighborhood problems and reducing crime. Programs and initiatives to foster these interactions include:

- Adult and youth police academies,
- Sports teams or “Police Athletic Leagues,”
- Ride-alongs with officers,
- Police involvement in local school activities, and
- Police participation in (or police-led) community events.

Police officials should see themselves as a part of the community they serve, and local government officials, police leaders, and community members should encourage the active involvement of officers as participants to help maintain the peace. <https://www.justice.gov/file/1437336/download>. Groups who feel less favorable toward local law enforcement are less certain they would report a crime they witnessed. <https://www.cato.org/survey-reports/policing-america-understanding-public-attitudes-toward-police-results-national#overview>.

Councilwoman Carver then presented the same graph from earlier in her presentation that identified forced negative and forced positive interactions during the 2021-2022 Fiscal Year (FY); however, she added the forced positive interactions associated with the D.A.R.E. program and indicated that the number grows astronomically. She noted that the Mayor and Council, as ‘village leaders’ have been elected to identify and implement programs that will best benefit the community for years to come. The items necessary for the D.A.R.E. position include:

- Dedicated Syracuse LEO w/benefits total cost – Yearly cost \$109,867
- Dedicated Vehicle – One-time cost \$60,000
- \$3,900 Increase in Budget – Yearly \$12,000
- A continued understanding that this program matters for the development of the City’s youth – Priceless.

Councilwoman Carver concluded by indicating a willingness to answer questions about the information included in her presentation.

Councilmember Savage stated that he does not believe the Council was ever in favor of eliminating the D.A.R.E. program; at the time that it was discontinued that decision was based upon a clear and present danger associated with staffing levels of the Police Department and the safety of remaining officers was prioritized over the program. Councilmember Carver agreed and noted the point of this presentation was to keep the program in the forefront of the Council’s mind in advance of the FY2023-2024 budget development process. Councilmember Savage stated that in the last budget cycle, the same number of Police Officers was funded, plus two. The staffing levels of the Department have increased since the time the D.A.R.E. program was discontinued, but the Council has left it to the Police Chief to decide how to deploy his personnel. With that in mind, he asked Chief Atkin how many more officers he would like to hire before he is comfortable reinstating the D.A.R.E. program. Chief Atkin stated that he needs one more officer; he discussed the manner that the two new officers have been utilized.

Councilmember Bingham commented on the quality of Councilmember Carver’s presentation; the information included was very informative and she appreciates the focus on the need for positive interactions between the Police Department and the community. She is pleased to hear that the Department needs just one more officer in order to reinstate the program. Councilmember Carver agreed and asked that the Council consider this information as they begin considering budget priorities for the next FY.

Planning item: Proposed zone text amendment in Syracuse City Coded Section 10.125 pertaining to Sensitive Overlay Zone standards.

A staff memo from the Community and Economic Development (CED) Department explained the City's location on the shores of the Great Salt Lake create soil and wetland conditions that are sensitive to development. To protect those lands, the city has a 'Sensitive Overlay Zone'. The requirements of the ordinance are applicable to all properties 'below the bluff'. West and Southwest of Bluff Road, the elevation drops anywhere from 5-15 feet resulting in a higher concentration of wetlands and high water table. The current requirement is for the developer to, prior to construction, hire a third-party contractor to conduct a groundwater and wetland study of the site and then submit the study to the Army Core of Engineers for review. The Core will then issue a 'Jurisdictional Determination' (JD) accepting the study as being accurate or on the inverse, could dispute the study. The Army Core has historically been the ultimate authority for development in enforcing the Clean Water Act. Being the sole authority also has at times meant that projects were delayed while waiting for a JD. This text amendment would take away the requirement for a JD if they passed a two-step test of having a third-party study saying that no wetlands exist and also no wetlands being shown on a national database map of wetlands. This way, the city still does it's part by making sure the site is properly studied out and wetlands protected but also helps keep projects from needlessly being delayed while waiting sometimes six months for a JD letter on a site that has two reliable sources saying that it doesn't

have any wetlands. The Planning Commission held a public hearing on 9/20/22 and is forwarding a recommendation to approve this text amendment. The City Council discussed the item on 9/27/22 work session and had some questions about the legal liability to the city if a wetland was erroneously filled or if a home flooded a result of the 'reduced' requirements. The goal of the discussion is to determine if this item is ready for a vote at the next City Council business meeting.

CED Director Steele reviewed his staff memo and facilitated discussion among the Council regarding the impact that the text amendment will have on the timeline for securing application approval for properties in the sensitive overlay zone.

Review responses to Request for Qualifications (RFQ) for Engineering Services.

A staff memo from the City Manager explained the City advertised a Request for Qualifications (RFQ) for engineering services and received a total of 8 responses. The RFQ was divided into the following four specialties:

- General/Civil Engineering
- Traffic/Transportation Engineering
- Park & Landscape Design
- Environmental Engineering

Based on the number of responses, the Administration is proposing a series of groups to help review and evaluate the firms. This may include interviewing firms as needed. The memo included a table that provided ranking information for the firms that responded to the RFQ. The recommendation is to form groups in a manner similar to the following:

- General/Civil Engineering: 6 firms
 - Mayor
 - City Manager
 - PW Director
 - City Engineer
 - 2 Councilmembers
- Traffic/Transportation Engineering: 3 firms
 - Mayor
 - City Manager
 - PW Director
 - City Engineer
 - 2 Councilmembers
- Parks & Landscape Design: 6 firms
 - City Manager
 - Park & Recreation Director
 - CED Director
 - City Engineer
 - 2 Councilmembers
- Environmental Engineering: 4 firms
 - Mayor
 - City Manager
 - Public Works Director
 - City Engineer
 - 2 Councilmembers

The memo concluded the goal of the discussion is to consider the proposed process for evaluating the responses to the RFQ and possibly assign Councilmembers to serve on the various evaluation groups.

Mayor Maughan summarized the staff memo and facilitated discussion among the Council regarding the proposed assembly of evaluation groups for each engineering category. Councilmembers volunteered for specific categories and Mr. Bovero concluded he will coordinate with each Councilmember to schedule meetings to evaluate the RFQ responses.

Review/discussion of draft request for proposals (RFP) for design services for West Davis Highway landscaping/aesthetic improvements project.

Mayor Maughan recused himself from discussing this agenda item due to a personal relationship with one of the contractors that responded to the RFP.

A staff memo from the City Manager explained as part of all new highway projects, UDOT dedicates a percentage of the project budget to cities for aesthetic improvements. The amount allotted to Syracuse City for the West Davis Highway project is approximately \$800,000. The highway project is scheduled to be completed in 2024 but could be finished as soon

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as 2023. Planning for any aesthetic improvements will need to happen soon in order to coordinate irrigation, stormwater, lighting, etc. as needed. The city had already budgeted \$40,000 for this in the 2022-2023 fiscal budget year. (10-52-37 Professional and Technical Services). The city recently amended the budget on October 11, adding \$35,000 to 10-52-37 Professional and Technical Services to cover this project with a combined total of \$75,000. The City has received two responses to the RFP from the following contractors: Confluence and Blu Line.

Mr. Bovero and CED Director Steele reviewed the staff memo and facilitated a review of the scoring sheet for the two responses. Councilmember Savage stated the City has worked with Blu Line in the past on the City's splash pad project; he cited the quality of that project as well as others in surrounding communities and stated he supports contracting with them again based upon their bid being the lowest. Councilmember Bingham agreed and added that she likes the fact that Blu Line is a local company and may be quicker to respond to requests from the City. Councilmembers Carver, Teague, and Watson agreed.

Mayor Pro-Tem Savage stated it appears there is consensus to proceed with awarding the contract to Blu Line and he advised staff to include an action item on the next business agenda to vote on the matter.

Preparation for future Strategic Goal Planning/Discussions.

Mayor Maughan stated it has been difficult to find a day that works for all elected officials and department heads for the annual strategic goal planning retreat. He stated he believes that the retreat can be held over the course of two work session meetings, and he asked for feedback from the Council. There was discussion about the manner in which the content typically discussed during the goal retreat will be broken down across the two meetings, with Mayor Maughan stated that it will take some preparation in advance of the meeting on the part of all Councilmembers. City Administration will send a survey to all Councilmembers to allow them to communicate their goals and desires for the next FY; the feedback provided will inform the agenda for the meetings and the topics that will be discussed.

Agreement to move November meeting to 3rd Tuesday.

Mayor Maughan stated he has sent an email to all Councilmembers and there seemed to be support for moving the regularly scheduled business meeting in November to November 15 in observance of Election Day; the regularly scheduled work session of November 22 will be cancelled in observance of Thanksgiving, but there will also be a work session on November 15. He stated that he will likely propose the same meeting format in December; the work session meeting scheduled of for the week of Christmas will be cancelled and a business meeting/work session will be held on December 13.

The meeting adjourned at 7:19 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: December 13, 2022